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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 3383/2018

K SUNDARARAMAN & ORS

..... Petitioner

Through Mr.Udham Singh, Adv.

versus

STATE OF NCT OF DELHI & ANR

..... Respondent

Through Ms.Manjeet Arya, APP with
S.I.Naresh Kr., P.S. Dwarka.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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23.10.2018

1. Vide the present petition, the petitioners seek quashing of FIR No.151/2012 registered u/s 323/370/374/34 of the IPC, u/s 23/26 of the JJA, u/s 16 of the Bonded Labour System (Abolition) Act & u/s 14/3 of the Child Labour (Prohibition & Regulation) Act at P.S. Dwarka South and all consequential proceedings emanating from the said FIR.
2. Mr.Udham Singh, learned counsel for the petitioners submits that the respondent no.2 had been employed by the petitioners on 12.07.2012 under the *bona fide* belief that she was an adult and she had come to work as domestic help with them on her own volition. He submits that, however, it later transpired that the respondent no.2 did not want to work as a domestic help and, therefore, lodged a false complaint alleging that she was being tortured by the petitioners.
3. Mr.Singh submits that the respondent no.2 had barely stayed in the house of the petitioners for less than a week. He submits that during the pendency of the proceedings, the parties have resolved their disputes and entered into a settlement dated 05.07.2018, wherein the respondent no.2

has categorically stated that she does not wish to pursue the aforesaid FIR or any consequential proceedings. He further submits that the said settlement had been arrived at by the parties with the intervention of the office bearers of the Residents welfare Association of the Vasundhara Apartments, where the petitioners have been residing for the last four years.

4. The petitioners as also the respondent no.2 and her elder sister are present in Court and have been identified by the I.O. I have interacted with the respondent no.2 and her elder sister, and it appears that they have entered into the settlement on their own volition. At this stage, Ms.Arya, learned APP points out that the petitioners have not paid any compensation to the respondent no.2.

5. Keeping in view the fact that the parties have already resolved their differences and the respondent no.2 had barely worked for one week in the house of the petitioners as also the fact that she wants to go back to her native village, I am of the view that no useful purpose would be served in continuing with the criminal proceedings emanating from the captioned FIR.

6. Accordingly, in the interests of justice, the petition is allowed and FIR No.151/2012 registered u/s 323/370/374/34 of the IPC, u/s 23/26 of the JJA, u/s 16 of the Bonded Labour System (Abolition) Act & u/s 14/3 of the Child Labour (Prohibition & Regulation) Act at P.S. Dwarka South alongwith all consequential proceedings are quashed, subject to the petitioners paying a sum of Rs.20,000/- to the respondent no.2, which amount has been handed over to the respondent no.2 in Court.

7. The petition is disposed of in the above terms.

OCTOBER 23, 2018/sr

REKHA PALLI, J